

Notice of Allowability

Application No.

10/781,275

Examiner

Sharidan Carrillo

Applicant(s)

JANSEN ET AL.

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/30/2004.
2. ☒ The allowed claim(s) is/are 1-4,7-14 and 24-26.
3. ☒ The drawings filed on 18 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


SHARIDAN CARRILLO
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Marshall Honeyman on 12/14/04.

The application has been amended as follows:

Claim 1:

Line 7, delete "removing vaporized contaminants in a vaporized state from said device while steam is delivered to the vessel;"

Line 9, delete "an organic solvent" and insert --terpene--

Line 9, after "delivered" insert --to the device--

Line 11, delete "and"

Between lines 11-12 and before the term "activating" insert the following:

--removing hydrocarbon contaminants out of said device while said hydrocarbon contaminants are in a vaporized form as the steam, the surfactant, and terpene are delivered to said device; and--

line 12, after "when" delete "one or both of said solvent and surfactant" and insert --said steam, terpene, and said surfactant--

line 13, after "delivered" insert --to said device--.

Claim 2:

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Line 2, delete "to a minimum temperature with"

Line 2, delete "induction of the organic solvent and" and insert --introduction of said terpene and said--

Claim 4: delete "an oleamide DEA,"

Claim 6: cancel

Claim 7: line 1, delete "6" and insert --1--

Claims 9-10: line 1, delete "6" and insert --1--

Claim 11: line 1, delete "solvent" and insert --terpene--

Claim 14: line 2, delete "using vibration analysis" and insert --by monitoring vibrational levels of said device--

Claims 17, 20-23: cancel

Add the following new claims:

--24. The method of claim 1, wherein said hydrocarbon contaminants are removed from metal surfaces of said dynamic device.

25. The method of claim 1, wherein said dynamic device is equipment used in a refinery.

26. The method of claim 1, further comprising directing said steam, terpene, and said surfactant through the device in a direction opposite to the flow of processing fluids previously present in said device.--

2. The following is an examiner's statement of reasons for allowance: The closest prior art is that of Mehta et al. (5389156, 5356482) which teaches removing

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contaminants from equipment using steam, terpene, and surfactant. However, Mehta et al. teach removal of the contaminants (i.e. hydrocarbons) by forming an aqueous emulsion. Specifically, refer to col. 6, lines 9-15 of '156. Mehta et al. teach that the terpene, surfactant, and steam mixture removes the contaminants by condensing the mixture such that the contaminants are trapped in an aqueous solution and are further stripped/scrubbed for disposal (col. 10, lines 19-65 of '156). In summary, Mehta et al. teach forming an emulsion containing the contaminants. Mehta et al. fail to teach the limitations of removing hydrocarbon contaminants out of the vessel while the hydrocarbon contaminants are in a vaporized state. Mehta et al. teach an aqueous solution instead of a vaporized form. In an interview with Mr. Marshall Honeyman on 12/16/04, the examiner also discussed amending the claims to include terpene in order to overcome the 112, first paragraph issues. Additionally, dependent claims were amended to correct 112 second paragraph issues.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharidan Carrillo whose telephone number is 571-272-1297. The examiner can normally be reached on Monday-Friday, 6:00a.m-2:30pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sharidan Carrillo
Primary Examiner
Art Unit 1746

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